

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

FELIX DELGADO, CARLOS DOMINGUEZ, LUIS
MAURISECA, KAE HEUNG PARK, et.al.

SUMMONS IN A CIVIL ACTION

V.

KIKO CONSTRUCTION, INC., REX KIM,
KWANG YONG BYUN

CASE NUMBER:

08 CV 1984

JUDGE BATTS

TO: (Name and address of Defendant)

Kiko Construction, Inc.
41 Gleane Street,
Apt. E-11
Elmhurst, NY 11373

Rex Kim
14431 41st Ave.
Apt. 4 A
Flushing, NY 11355

Kwang Yong Byun
14330 38th Ave.
Apt. 5 N
Flushing, NY 11354

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Arlene L. Chow (AC 4533)
Dillon Kim (DK 4121)
Hogan & Hartson LLP
875 Third Avenue
New York, New York 10022
(212) 918-3000

Tushar J. Sheth (TS 5672)
Asian American Legal Defense and
Education Fund
99 Hudson Street, 12th Floor
New York, New York 10013
(212) 966-5932

Steven Choi (SC 1906)
YKASEC - Empowering
the Korean American
Community
136-19 41st Avenue,
3rd Floor
Flushing, New York 11355
(718) 460-5600

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero

(By) DEPUTY CLERK

FEB 28 2008

DATE

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Date Signature of Server </div> <div style="text-align: center; margin-top: 20px;"> _____ Address of Server </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIX DELGADO, CARLOS DOMINGUEZ, et. al.

Plaintiff,

-against-

KIKO CONSTRUCTION, INC., REX KIM and
KWANG YONG BYUN,

Defendants.

Docket No.: 2008 CV 1984 (BATTs)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JUAN ROLDAN, being duly sworn, deposes and says:

1. That I am not a party to this action, am over eighteen years of age and resides in the State of New Jersey;
2. That on June 10, 2008, at approximately 10:13 p.m., I personally served a true and correct copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT, Individual Practices of Judge Deborah A. Batts and Electronic Case Filing Rules & Instructions**, all upon **REX KIM, (an Individual)**, by Personal Service via Mr. Rex Kim, who identified himself as the person deponent was seeking to serve. Mr. Rex Kim, who is known and known to be, someone of suitable age and discretion and who indicated upon inquiry, that he is neither in Military Service nor dependant upon anyone within Military Service, which service was effected at his actual place of residence indicated below:

REX KIM
57-35 256TH Street / Multi Family House / Front Entrance
Little Neck, New York 11362

3. **Mr. Rex Kim** can best be described as:

Asian male – White skin – Brown hair (thinning in front) – Brown eyes - Approximately 35 - 45 years of age, 5'4" – 5'8" and 100 – 125 lbs.

Dated: June 10, 2008.
New York, New York

JUAN ROLDAN
License No. 0983113

Sworn to before me on this the 10th day of June 2008.

Holly Roldan
NOTARY PUBLIC

HOLLY ROLDAN
Notary Public, State of New York
No. 01RO6125752
Qualified in New York County
Commission Expires April 28, 2009